

Remarks

Claims 1 – 36 are pending. Claims 1 – 36 are rejected. Claims 1 – 36 have been canceled. New claims 37 – 58 have been added. Applicants respectfully traverse the rejection and request allowance of new claims 37 – 58. No new matter has been added.

Claims 1, 3, 19, 17 and 21 are rejected under 35 USC 102(e) as being anticipated by Sheynblat et al (6,314,308). Claims 1 – 36 have been canceled.

New Claim 37 requires:

“A device comprising:

- a network interface configured to exchange communications with a communication network;
- a plurality of interfaces configured to exchange communications with a plurality of user devices;
- a power supply configured to draw power from a power source external to the device or from the communication network;
- power control circuitry configured to detect a loss of power from the power source external to the device;
- a first processor connected to the power control circuitry and configured to switch the power supply from the power source external to the device to the communications network when the loss of power is detected;
- the processor also configured to switch to a low power mode by lowering the power consumption of the device when the loss of power is detected.”

Sheynblat does not have “a power supply configured to draw power from a power source external to the device or from the communication network”. Sheynblat only draws power from a battery. When the battery in Sheynblat runs low, the device in Sheynblat switches to a low power mode. New claim 37 requires a power supply configured to draw power from a power source external to the device or from the communication network. Claim 37 requires that the device switches from the external power supply to the power supplied by the communications network when there is a loss of power in the external

power supply. Barber et al (6,240,521) does not have "a power supply configured to draw power from a power source external to the device or from the communication network". Therefore none of the cited prior art not teach "a power supply configured to draw power from a power source external to the device or from the communication network" as required by claim 1.

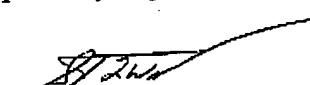
"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. V. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed Cir. 1987). Here, the cited art does not teach a power supply configured to draw power from a power source external to the device or from the communication network, therefore the cited prior art does not fulfilled the requirements for a *prima facie* case of anticipation. Therefore claim 37 is allowable as written.

Claims 38 – 47 are dependent on allowable claim 37 and are therefore allowable.

The arguments for claim 37 (above) apply to claims 48 and 58. Therefore claims 48 and 58 are allowable.

Claims 49 - 57 are dependent on allowable claim 48 and are therefore allowable.

Applicants submit that there are numerous additional reasons in support of patentability, but that such reasons are moot in light of the above remarks and are omitted in the interests of brevity. Applicants respectfully request allowance of claims 37 – 58.


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